

**Public Workshop on**  
**Mercury Thermostat Recovery Regulation**

**August 24, 2010**

**Questions and Answers from Workshop Discussion**

**Question 1. What are the key factors that DTSC must consider when developing the methodology to determine the number of mercury-containing thermostats that become waste annually?**

- A 1.01** Time to start is now!
- A 1.02** Skumatz study good enough for initial effort; perhaps re-evaluate in the future
- A 1.03** Spending time on how much or how many thermostats are out there really does not matter. Need to develop program that will get best bang for your buck
- A 1.04** Plan the plan & implement the plan, rather than plan to death
- A 1.05** DTSC as a whole has moved forward with developing workplans as opposed to spending so much time on planning the plan.
- A 1.06** Estimate/data on # [number] tstats [thermostats] is difficult to obtain/extract & imperfect; additional sales data unnecessary
- A 1.07** You may not have reliable sales data for decades prior to 2006
- A 1.08** Any Hg thermostats going to landfill is violation of law

**Question 2. Should the rate of collection be fixed or variable, and if variable, what would it look like?**

- A 2.01** Boost collections now.
- A 2.02** I would look at US. Air Conditioning collection rates in CA because they pay \$5 bounty so that would be a good place to start of knowing what current collect % [percent] is possible
- A 2.03** Collection rate should start high; difficult to know whether rates are even being achieved so % [percent] is not as important/easy to determine
- A 2.04** Start collection strong w/ [with] fast growth- must be variable until 100% & maintain at or near 100% as we have a 100% disposal ban [contributor's name]
- A 2.05** Targets need to be reasonably achievable & consider outliers
- A 2.06** Late 90's early 2000- much development was being done and a lot of thermostats have already been thrown in the trash.

**Question 3. What are the challenges and limitations to what is realistically attainable?**

- A 3.01** Large number of program players are new to HW [hazardous waste] regs [regulations] & don't understand requirements
- A 3.02** Limited incentives to participate
- A 3.03** Focus resources on active outreach & enforcement until collection rate substantially improve
- A 3.04** Wholesaler outreach – not just passive- active phone calls, site visits to ensure they have bins & PR materials to educate contractors. Also do trainings to Apartment Managers Association to get on-site managers & property maintenance staff
- A 3.05** Pro-actively enforce law for wholesalers, contractors, manufacturers
- A 3.06** Talk to Dan [Fogt] at CSLB [Contractor's State Licensing Board] about having Hg [thermostat] questions on test for C-20 [HVAC] contractors
- A 3.07** Go to Dept of Real Estate & determine the number of homes that could potentially have thermostats & pull location (?) permits in specific area to determine how many HVAC's permits have been pulled
- A 3.08** Attend [industry] trade show(s) in Las Vegas (Western) and Long beach (IHACI) in November

**Key Points from Workshop Discussion**

- KP 1.** Skumatz adequate for current needs
- KP 2.** Time to start is now
- KP 3.** Estimates in sales data is difficult to extract & imperfect
- KP 4.** May not have reliable [sales data] for decades prior to 2006
- KP 5.** Additional sales data is unnecessary
- KP 6.** Don't forget that 100%- any mercury thermostat → [that doesn't get collected goes to] landfill. There is nothing that can replace personal contact [for enforcement]
- KP 7.** Boost collections now & proactively enforce law for wholesalers and manufacturers
- KP 8.** Don't plan the plan- Implementation Now!

- KP 9.** Focus on active vs. passive enforcement
- KP 10.** Focus on developing & implementing rather than “planning to death”
- KP 11.** Implementation vs. Planning to Death
- KP 12.** Law will be ineffective for 2.5 years by the time requirements (rate) go into effect- argument vs. “go slow”
- KP 13.** Start collection rate strong with fast growth
- KP 14.** Collection rate should start high
- KP 15.** Percent is not as important as collection rate
- KP 16.** If variable [rate] [range ?] up to or near 100%- 100% disposal ban- emphasize
- KP 17.** Difficult to know if rate is being achieved and not reached
- KP 18.** US AC collection rates in CA → \$5 bounty- [use as?] benchmark [to set CA rates?]
- KP 19.** Look at current CA rebate programs to see what’s possible [and] being done
- KP 20.** State of Maine- best performance, has \$[x] bounty
- KP 21.** Take outliers into consideration (statistical anomaly)
- KP 22.** Target reasonable & achievable
- KP 23.** Wholesaler outreach- not just passive but active outreach
- KP 24.** Proactively enforce law- wholesalers, contractors, manufacturers, demolition
- KP 25.** Very few people deal with thermostats- need to understand what to do with mercury thermostats → [vis-à-vis] licensing board
- KP 26.** 85% [of thermostats] removed by contractors
- KP 27.** Contractor channel is diffuse- big, hard to reach
- KP 28.** Large number of stakeholders are new & don’t understand- [need] more outreach
- KP 29.** More outreach needed
- KP 30.** Limited incentives to participate
- KP 31.** However, by the time rate goes into effect it will be out for 2.5 years
- KP 32.** Apartment associations- do own turnouts, reach them [provide outreach]- Lots of opportunity
- KP 33.** Use Dept. of Real Estate data [to determine] number of homes with thermostats [and] number of permits pulled in those locations